

REMARKS

This Amendment is responsive to the Office Action dated February 10, 2005. Applicant has amended claims 1, 5, 11, 15, 23 and 24, cancelled claims 7, 22 and 26-30, and added new claims 31-39. Claims 1-6, 8-21, 23-25 and 31-39 are pending upon entry of this Amendment.

Applicant has cancelled and amended claims as indicated above in order to expedite allowance of this Application. However, Applicant reserves the right to pursue the cancelled claims, and the amended claims as previously presented, in one or more continuation applications. In view of the amendments made to independent claims 1 and 11, claims 5, 15, 23 and 24 have been amended for clarity and consistency, i.e., for reasons unrelated to patentability.

Allowable Subject Matter

In the Office Action, the Examiner objected to claims 7, 8, 12, 22 and 23 as being dependent on a rejected base claim, but indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. As suggested by the Examiner, Applicant has amended independent claim 1 to include the limitations of claim 7, and amended independent claim 11 to include the limitations of claim 22. Therefore, Applicant believes that independent claims 1 and 11, as amended, are in condition for allowance. Further, by virtue of these amendments to the independent claims, Applicant believes that dependent claims 2-6, 8-10, 12-21 and 23-26 are in condition for allowance.

New Claims:

Applicant has added claims 31-39, including new independent claims 31 and 36, to the pending application. Claims 32-35 depend from claim 31, while claims 37-39 depend from claim 36. No new matter has been added by the new claims.

As discussed in the previous section, the Examiner indicated that claims 8 and 12 as originally filed would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. New independent claim 31 includes all of the limitations of claim 8 and its base claim, claim 1, as originally filed, while new independent

claim 36 includes all of the limitations of claim 12 and its base claim, claim 11, as originally filed. Therefore, Applicant believes that each of new claims 31-39 is in condition for allowance.

Claim Rejection Under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 26-30 under 35 U.S.C. 102(b) as being anticipated by Yamauchi et al. (U.S. Patent No. 4,292,973). Applicant respectfully traverses the rejection. However, Applicant has cancelled claims 26-30 in order to expedite allowance of the Application. Consequently, Applicant submits that the Examiner's rejection of claims 26-30 under 35 U.S.C. § 102(b) is now moot. Applicant reserves the right to pursue the cancelled claims in one or more continuation applications.

Claim Rejection Under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claims 1-6, 11, 13-18, 20-21 and 24 under 35 U.S.C. 103(a) as being unpatentable over Yamauchi et al. (U.S. Patent No. 4,292,973) in view of Elkins et al. (U.S. Patent Application Publication No. 2001/0039439), and claims 9-10 and 19 under 35 U.S.C. 103(a) as being unpatentable over Yamauchi et al. in view of Elkins et al. as applied to claims 1 and 11, and in further view of Roehrich et al. (U.S. Patent No. 5,287,705).¹ Applicant respectfully traverses these rejections. However, in order to expedite allowance of the Application, Applicant has amended independent claims 1 and 11 to include subject matter that was indicated by the Examiner to be allowable. Consequently, all rejections have been overcome.

Objections to the Specification

In the Office Action, the Examiner objected to the manner in which the trademark "VELCRO" was used in the specification. The Examiner indicated that wherever the trademark appeared in the specification, the entire word should be capitalized and accompanied by the generic terminology "hook and loop fastener." Applicant has amended paragraph [0021] according to the Examiner's suggestion, and requests that the objection be withdrawn.

¹ Although the Office Action Summary indicated that claim 25 was rejected, the Examiner did not address claim 25 in the Office Action. To the extent that claim 25 was rejected that rejection has been overcome through the amendment of independent claim 11 to include allowable subject matter.

CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

5/10/05

SHUMAKER & SIEFFERT, P.A.
8425 Seasons Parkway, Suite 105
St. Paul, Minnesota 55125
Telephone: 651.735.1100
Facsimile: 651.735.1102

By:

Jason D. Kelly

Name: Jason D. Kelly
Reg. No.: 54,213